



**NOTICE OF PUBLIC HEARING  
BEFORE THE CAPITOLA CITY COUNCIL  
AFTER THE HOUR OF 7:00 P.M. ON THURSDAY, MAY 26, 2016**

**RESOLUTION NO. 4049**

**RESOLUTION OF INTENTION OF THE CITY COUNCIL  
OF THE CITY OF CAPITOLA  
TO LEVY BUSINESS IMPROVEMENT ASSESSMENTS  
FOR FISCAL YEAR 2016/2017**

**WHEREAS**, the Capitola Village and Wharf Business Improvement Area ("CVWBIA") has prepared a report to the City of Capitola for Fiscal Year 2016/2017 pertaining to the Business Improvement Area assessments for the CVWBIA under California Streets and Highways Code §36533; and

**WHEREAS**, Capitola Municipal Code §5.10.050 requires annual assessments to be imposed within the CVWBIA pursuant to a formula set forth in City Council Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS FOLLOWS:**

1. The Annual Report and Proposed Fiscal Year 2016/2017 Budget of the CVWBIA pertaining to business improvement assessments, as presented in Exhibit "A" attached hereto, is received.
2. The City Council intends to levy and collect assessments within the CVWBIA for Fiscal Year 2016/2017.
3. The proposed activities authorized by Capitola Municipal Code Chapter 5.10 are described in the afore-referenced CVWBIA Annual Report. These activities include a variety of promotional activities, including village maintenance and beautification programs, and extended holiday parking programs. A number of promotional information media announcements and publications will also be financed from these funds, including regional magazine advertising, broadcast advertising and website advertising.
4. The Business Improvement Area is bounded per the map referenced in Municipal Code §5.10.020 and included in Ordinance 1003. The CVWBIA boundaries are not being altered this year.
5. The Annual Report of the CVWBIA and proposed assessments for Fiscal Year 2016/2017 are presented in Exhibit "A" attached hereto. The assessment formula is based on the classification of benefited businesses and the businesses' number of full-time equivalent employees. A new assessment category "Restaurant - Limited" is

added and defined in Exhibit A. The proposed renewal plan does not change the assessment amounts from last year and continues to offer a discount of 10% for assessments paid by the due date.

6. The Capitola City Council will hold a public hearing in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California, at the hour of 6:00 p.m., on Thursday, June 16, 2016, to receive any oral or written protests or endorsements to the regularity or sufficiency of the proposed business improvement assessments. If written protests complying with Streets and Highways Code §36524 and §36525 are received from the owners of businesses which will pay fifty percent or more of the assessments, assessments will not be levied, the procedure will be terminated and will not be reconsidered until one full year has elapsed.

7. The City Clerk is directed to give notice of the public hearing to consider the levy of business improvement assessments for Fiscal Year 2016/2017 by publishing this Resolution of Intention in a newspaper of general circulation in the City once a week for two successive weeks, at least ten days prior to the public hearing.

8. The CVWBIA Advisory Committee is directed to give notice of the public hearing to each business owner in the area by mailing a copy of the Council's Resolution of Intention to each business.

**I HEREBY CERTIFY** that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 26th day of May, 2016, by the following vote:

**AYES:** Council Members Bertrand, Harlan, Norton, Termini, and Mayor Bottorff

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

s/ Ed Bottorff, Mayor  
Ed Bottorff, Mayor

ATTEST: s/ Susan Sneddon, City Clerk  
Susan Sneddon, City Clerk

**NOTE:** Exhibit A, the Annual Report and proposed Fiscal Year 2016/2017 budget of the Capitola Village and Wharf Business Improvement Area, is available from the Office of the City Clerk or the Finance Department at Capitola City Hall, 420 Capitola Avenue, Capitola, CA 95010.